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MVMDINC.045A

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : van der Burg, et al. )  
App. No. : 10/642,384 )  
Filed : August 15, 2003 )  
For : SYSTEM AND METHOD FOR )  
DELIVERING A LEFT ATRIAL )  
APPENDAGE CONTAINMENT )  
DEVICE )  
Examiner : Unknown

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCAION AND POWER OF ATTORNEY

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, Fourteenth Floor, Irvine, California 92614; Telephone (949) 760-0404, Customer

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App. No. : 10/642,384  
Filed : August 15, 2003

No. 20,995, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use Customer No. 20,995 for all communications.

ev3 SUNNYVALE, INC.

Dated: Feb. 11, 2004

By:   
Cecily Hipes

Title: General Counsel

Address: 4600 Nathan Lane North  
Plymouth, MN 554425

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# Not for Recordation

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Application No.: 10/642,384  
Filing Date: August 15, 2003

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Client Code: MVMD/INC.045A  
Page 1

## ASSIGNMENT

WHEREAS, We, Erik J. van der Burg, a United States citizen, residing at 16417 Peacock Lane, Los Gatos, CA, 95032; Alexander K. Khalikhan, a United States citizen, residing at 1105 Lincoln Avenue, Palo Alto, CA, 94301; Alan R. Klenk, a United States citizen, residing at 4851 Clarendon Drive, San Jose, CA, 95129; Chad C. Rouc, a United States citizen, residing at 845 Potada Way, Fremont, CA, 94536; and Andrew G. C. Frazier, a United States citizen, residing at 517 Fern Ridge Court, Sunnyvale, CA, 94087, have invented certain new and useful improvements in a SYSTEM AND METHOD FOR DELIVERING A LEFT ATRIAL APPENDAGE CONTAINMENT DEVICE for which we have filed an application for Letters Patent in the United States, Application No. 10/642,384;

AND WHEREAS, ev3 SUNNYVALE, INC. (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 777 North Pastoria Avenue, Sunnyvale, CA 94085, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10 day of FEB, 2004.

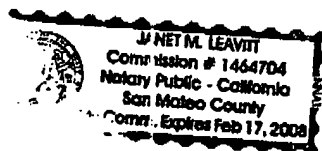
Erik J. van der Burg

STATE OF California  
COUNTY OF San Mateo ss.

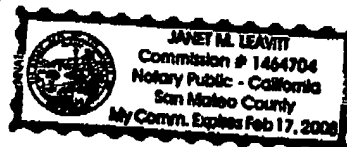
On February 10, 2004, before me, Janet M. Leavitt, personally appeared Erik J. van der Burg, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and I acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Notary Signature



# Not for Recordation

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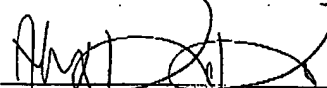
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Application No.: 10/642,384  
Filing Date: August 15, 2003

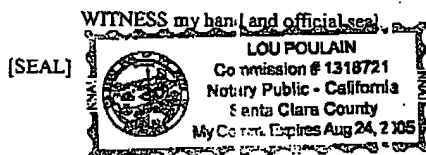
PATENT  
Client Code: MVMDINC.045A  
Page 2

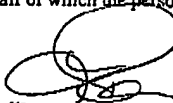
IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10<sup>th</sup> day of Feb., 2004.

  
Alexander K. Khairkhan

STATE OF California }  
COUNTY OF Santa Clara } ss.

On Feb 10, 2004, before me, Lou Poulain, personally appeared Alexander K. Khairkhan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument he person, or the entity upon behalf of which the person acted, executed the instrument.



  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Alan R. Klenk

STATE OF }  
COUNTY OF } ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Alan R. Klenk, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10<sup>th</sup> day of February, 2004.

# Not for Recordation

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Application No.: 10/642,384  
Filing Date: August 15, 2003

PATENT  
Client Code: MVMDINC.045A  
Page 2

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Alexander K. Khairkhahan

STATE OF \_\_\_\_\_

SS.

COUNTY OF \_\_\_\_\_

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Alexander K. Khairkhahan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 9<sup>th</sup> day of February, 2004.

Alan R. Klenk  
\_\_\_\_\_  
Alan R. Klenk

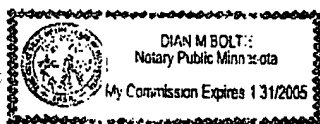
STATE OF Minnesota  
COUNTY OF Hennepin

SS.

On Feb. 9, 2004, before me, DIAN M. BOLTE, personally appeared Alan R. Klenk, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]



Dian M. Bolte  
\_\_\_\_\_  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 10<sup>th</sup> day of February, 2004.

# Not for Recordation

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Application No.: 10/642,384  
Filing Date: August 15, 2003

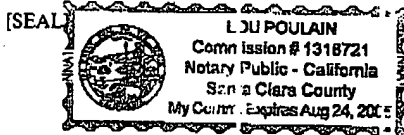
PATENT  
Client Code: MVMDINC.045A  
Page 3


  
Chad C. Rouc

STATE OF California }  
COUNTY OF Santa Clara } ss.

On 10 Feb 2004, before me, Lou Poulain, personally appeared Chad C. Rouc, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.



  
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_, 2004.

\_\_\_\_\_  
Andrew G. C. Frazier

STATE OF \_\_\_\_\_ }  
COUNTY OF \_\_\_\_\_ } ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Andrew G. C. Frazier, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

\_\_\_\_\_  
Notary Signature

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02/11/2004 WED 14:40 FAX 7633987200

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THREE ARCH PARTNERS  
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0008  
0002  
0004

Application No.: 10/642,364  
Filing Date: August 15, 2003

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Client Code: MVMDINC.045A  
Page 3

Chad C. Rowe

STATE OF }  
COUNTY OF } ss.

On \_\_\_\_\_, before me, \_\_\_\_\_, personally appeared Chad C. Rowe, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

IN TESTIMONY WHEREOF, I hereto set my hand and seal this 11 day of February, 2004.

Andrew G. C. Frazier

STATE OF California }  
COUNTY OF San Mateo } ss.

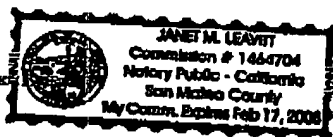
On February 11, 2004 before me, Janet M. Leavitt, personally appeared Andrew G. C. Frazier, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

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